

Adopted	Rejected
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## COMMITTEE REPORT

YES:	8
NO:	3

### MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1733, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 20-8.1-5.1-8.2 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2003]: **Sec. 8.2. (a) A school corporation may**
- 5 **establish a school policy setting forth conditions under which a**
- 6 **student is permitted to possess and use an electronic paging device**
- 7 **or handheld portable telephone on school grounds.**
- 8 **(b) If:**
- 9 **(1) a student possesses or uses on school grounds an electronic**
- 10 **paging device or handheld portable telephone that interferes**
- 11 **with instruction; and**
- 12 **(2) the student refuses to release the paging device or**
- 13 **handheld portable telephone to the school;**
- 14 **the student's refusal may constitute grounds for suspension of the**
- 15 **student or other disciplinary action.**
- 16 **(c) An electronic paging device or handheld portable telephone**

1     **that interferes with instruction and that is possessed or used by a**  
 2     **student on school grounds may be seized and retained by the school**  
 3     **until:**

- 4         **(1) a meeting is held under section 12 of this chapter; and**  
 5         **(2) the principal of the school determines whether the student**  
 6         **used the electronic paging device or handheld portable**  
 7         **telephone in violation of school policy.**

8         SECTION 2. IC 20-8.1-5.1-12 IS AMENDED TO READ AS  
 9         FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) A principal may  
 10        suspend a student for not more than ten (10) school days under section  
 11        8, **8.2**, 9, or 10 of this chapter. However, the student may be suspended  
 12        for more than ten (10) school days under section 16 of this chapter.

13        (b) A principal may not suspend a student before the principal  
 14        affords the student an opportunity for a meeting during which the  
 15        student is entitled to the following:

- 16           (1) A written or an oral statement of the charges against the  
 17           student.  
 18           (2) If the student denies the charges, a summary of the evidence  
 19           against the student.  
 20           (3) An opportunity for the student to explain the student's  
 21           conduct.

22        (c) When misconduct requires immediate removal of a student, the  
 23        meeting under subsection (b) shall commence as soon as reasonably  
 24        possible after the student's suspension.

25        (d) Following a suspension, the principal shall send a written  
 26        statement to the parent of the suspended student describing the  
 27        following:

- 28           (1) The student's misconduct.  
 29           (2) The action taken by the principal.

(Reference is to HB 1733 as introduced.)

**and when so amended that said bill do pass.**

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Representative Porter